

DEC 23 2004



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FACSIMILE TRANSMISSION COVER SHEET

Date: December 23, 2004

To: United States Patent and Trademark Office
Examiner: Thien F. Tran; Art Unit: 2811

Fax: (703) 872-9306

Re: **Application Serial No.: 10/678,445**
Filing Date: 10/3/2003; First Named Inventor: Kluth
Attorney Docket No.: 0180146

From: Farjami & Farjami LLP

Number of pages including the cover sheet: 17

Message:

Enclosed please find the Amendment and Response to the Non-Office Action dated October 22, 2004.

Thank you.

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Attorney Docket No.: 0180146

AMENDMENT COVER SHEETIN RE APPLICATION OF: Kluth, et al.SERIAL NO.: 10/678,445 FILED: October 3, 2003FOR: Method for Forming Polysilicon Gate on High-K Dielectric and Related StructureHONORABLE COMMISSIONER FOR PATENTS
P.O. Box 1450, Alexandria, VA 22313-1450

Sir/Madam:

Transmitted herewith is a paper in the above-identified application. Any necessary extension of time period set for this paper is hereby requested.

☒ No additional fee is required.☐ The fee has been calculated as shown below:☐ EXTENSION FEE

| | RATE Non-Small Entity | RATE Small-Entity | FEE |
|------------------------------------|--------------------------|----------------------|-----|
| FIRST MONTH AFTER TIME PERIOD SET | 120.00 | 60.00 | \$ |
| SECOND MONTH AFTER TIME PERIOD SET | 450.00 | 225.00 | \$ |
| THIRD MONTH AFTER TIME PERIOD SET | 1,020.00 | 510.00 | \$ |
| FOURTH MONTH AFTER TIME PERIOD SET | 1,590.00 | 795.00 | \$ |

☐ TOTAL EXTENSION FEE \$ 0.00☐ FEE FOR EXTRA CLAIMS added by Amendment in this response:

| | Column 1 | Column 2 | Column 3 | | | |
|--|--|----------------------------------|------------------------------|-----------------------------|----------------------|-----|
| | Number of Claims after Amendment | Number Previously Paid for | Number of Extra Claims | RATE Non-Small Entity | RATE Small Entity | FEE |
| TOTAL CLAIMS | 12 | MINUS **20 | * = 0 | x 50 | x 25 | \$ |
| INDEPENDENT | 2 | MINUS ***3 | * = 0 | x 200 | x 100 | \$ |
| First presentation of multiple dependent claim | | | | + 360 | + 180 | \$ |

TOTAL FEE FOR EXTRA CLAIMS \$ 0.00

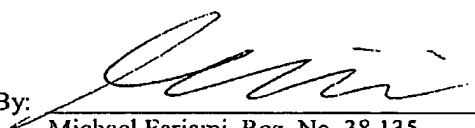
* If the entry in Column 1 is less than the entry of Column 2, write "0" in Column 3.

** If the number of Total Claims previously paid for is less than 20, write "20" in this space.

*** If the number of Independent Claims previously paid for is less than 3, write "3" in this space.

Attorney Docket No.: 0180146

- ☐ Total fee for Supplemental Information Disclosure Statement \$
- ☐ Enclosed is the total fee of \$ 0.00 (Payment by Credit Card, Form PTO-2038 Enclosed).
- ☐ Please charge Deposit Account No. 50-0731 in the amount of \$
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment to Deposit Account No. 50-0731. A duplicate copy of this sheet is enclosed.

Date: 12/23/04By: 
Michael Farjami, Reg. No. 38,135CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being filed by facsimile transmission to United States Patent and Trademark Office at facsimile number 703-872-9306 on the date stated below. The facsimile transmission report indicated that the facsimile transmission was successful.

Date 12-23-2004Signature Name of Person Performing Facsimile Transmission LESLIE L. LAM

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Facsimile: (949) 282-1002

CERTIFICATE OF MAILING

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Typed or Printed Name of Person Mailing Paper and/or Fee _____

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☐ TOTAL EXTENSION FEE \$ 0.00☐ FEE FOR EXTRA CLAIMS added by Amendment in this response:

| | Column 1 Number of Claims after Amendment | Column 2 Number Previously Paid for | Column 3 Number of Extra Claims | RATE Non-Small Entity | RATE Small Entity | FEE |
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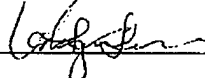
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Kluth, et al.**

Art Unit: 2811

Serial No.: 10/678,445

Examiner: Tran, Thien F.

Filed: October 3, 2003

For: **Method for Forming Polysilicon Gate
on High-K Dielectric and Related
Structure**

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This is in response to the Non-Final Office Action dated October 22, 2004 in the above-referenced patent application. Please enter and consider the following amendments and remarks.